

Commissions Bylaws

Article I: Name The name of this Commission shall be the Commission on Mental Health and Developmental Services ("Commission"). Article II: Duties As provided in NRS 433.314, the Commission shall:

- Establish policies to ensure adequate development and administration of services for persons with mental illness, mental retardation and related conditions, including services to prevent mental illness and mental retardation and related conditions and services provided without admission to a facility or institution;
- Set policies for the care and treatment of mentally ill persons, and mentally retarded persons and persons with related conditions provided by all state agencies;
- Review the program and finances of the Division; and;
- Report at the beginning of each year to the Governor and at the beginning of each odd-numbered year to the Legislature on the quality of care and treatment provided for persons with mental illness, mental retardation and related conditions in this state and on any progress made toward the quality of that care and treatment.

Article III: Powers As provided in NRS 433.316, the Commission may:

- Collect and disseminate information pertaining to mental health, mental retardation and related conditions.
- Request legislation pertaining to mental health, mental retardation and related conditions.
- Investigate complaints about the care of any person in a public facility for the treatment of the mentally ill, mentally retarded or persons with related conditions.
- Accept, as authorized by the Legislature, gifts and grants of money and property.
- Take appropriate steps to increase the availability of and to enhance the quality of the care and treatment of persons with mental illness, mental retardation and related conditions provided through state agencies, hospitals and clinics.
- Promote programs for the treatment of persons with mental illness, mental retardation and related conditions and participate in and promote the development of facilities for training persons to provide services for persons with mental illness, mental retardation and related conditions.
- Create a plan to coordinate the services for the treatment of persons with mental illness, mental retardation and related conditions provided in this state and to provide continuity in the care and treatment provided.
- Establish and maintain an appropriate program, which provides information to the general public concerning mental illness, mental retardation and related conditions, and consider ways to involve the general public in the decisions concerning the policy on mental illness, mental retardation and related conditions.
- Compile statistics on mental illness and study the cause, pathology and prevention of those illnesses and conditions.
- Establish programs to prevent or postpone the commitment of residents of this state to facilities for the treatment of persons with mental illness, mental retardation and related conditions.
- Evaluate the future needs of this state concerning the treatment of mental illness, mental retardation and related conditions and develop ways to improve the treatment already provided.
- Take any other action necessary to promote mental health in this state.

Article IV: Right of Employee of Division to Submit Information or Requests to or Appear Before Commission As provided in NRS 433.327, every employee of the Division is entitled to submit written information or requests directly to the Commission or its individual members, or appear before it with its permission, but the Commission shall not interfere with the procedures for resolving the grievances of employees in the classified service of the state. Article V: Inspection of Facility As provided in NRS 433.325, the Commission or its designated agent may inspect any state facility providing services for the mentally ill, the mentally retarded and persons with related conditions to determine if the facility is in compliance with the provisions of the Title and any regulations adopted there under. Article VI: Regulations As provided in NRS 433.324, the Commission shall adopt regulations:

- For the care and treatment of persons with mental illness or mental retardation and related conditions by all state agencies and facilities, and their referral to private facilities;
- To ensure continuity in the care and treatment provided to persons with mental illness, mental retardation and related conditions in this state; and
- The commission may adopt regulations to promote programs relating to mental health, mental retardation and related conditions.

Article VII: Membership The Governor shall appoint the members of the commission from among the following:

- A psychiatrist licensed to practice medicine in this state, from a list of three candidates submitted by the Nevada Psychiatric Association;
- A psychologist certified to practice in this state and experienced in clinical practice, from a list of four candidates, two of whom are submitted by the Northern Nevada Association for Certified Psychologists and two of whom are submitted by the Southern Society for Certified Psychologists;
- A physician, other than a psychiatrist, licensed to practice medicine in the state and who has experience in dealing with mental retardation and related conditions, from a list of three candidates submitted by the Nevada State Medical Association;
- A social worker who has a master's degree and has experience in dealing with mental illness and/or mental retardation and related conditions;
- A registered nurse licensed to practice in this state who has experience in dealing with mental illness or mental retardation and related conditions or both, from a list of three candidates submitted by the Nevada Nurses' Association;
- A marriage and family therapist licensed to practice in this state, from a list of three candidates submitted by the Nevada Association for Marriage and Family Therapy;
- A representative of the general public who has a special interest in the field of mental health; and
- A representative of the general public who has a special interest in the field of mental retardation.

The Governor shall appoint the chairman of the Commission from among its members. After the initial terms, each member shall serve a term of four (4) years. If a vacancy occurs during a member's term, the Governor shall appoint a person qualified under this section to replace that member for the remainder of the unexpired term. In accordance with NRS 232.306, the Commission shall meet at the call of the chairman at least six (6) times but not more than 12 times per year. A meeting may last for more than one day. Each member of the Commission is entitled to receive a salary of \$80.00 for each day he is engaged in the business of the Commission and the per diem allowance and travel expenses as provided for state officers and employees. A person is ineligible for appointment to or continued service on the Commission if he or his spouse owns an interest in or is employed by any enterprise or organization, whether or not conducted for profit, which derives 25 percent or more of its gross revenues from the Division. Article VIII: Officers

Section 1. Officers of the Commission shall be a Chairperson and a Vice-Chairperson, the Chairperson to be selected by the Governor. Section 2. The Vice-Chairperson of the Commission shall be elected at the Commission's annual meeting in October. The Vice-Chairperson shall hold office for a term not to exceed four years, and be elected for 2 year terms or until his successor shall have been duly elected or until he shall file a resignation in writing. A member of the Commission may serve not more than two consecutive terms in an office. Section 3. The Commission officers shall have the following duties:

- The Chairperson shall preside at meetings of the Commission. He shall have such duties and authority as are herein conferred upon him and as shall be entrusted to him from time to time by the Commission.
- The Vice-Chairperson shall preside at meetings of the Commission in the absence of the Chairperson. He shall perform such other duties as are herein conferred upon him and as may be assigned to him by the Chairperson of the Commission.

Section 4. If the Chairperson and Vice Chairperson are absent or unable to perform their duties, the Commission may appoint a Chairman Pro Tempore. Article IX: Meetings Section 1. The Commission shall hold regular meetings in February, April, June, August, October, and December to conduct the business of the Commission. Section 2. A special meeting of the Commission may be called by the Chairperson, or in the event of his absence, by the Vice-Chairperson.

Section 3. The Commission meeting in October of each year shall be the annual meeting of the Commission. Section 4. A majority of the members of the Commission constitutes a quorum and is required to transact any business of the Commission. Section 5. The Chair in consultation Administrator of the Division of Mental Health and Developmental Services shall prepare a written agenda after consultation with the Commission Chairperson. Any other person desiring to place an item on the agenda or make a presentation to the Commission shall provide this information to the Chairperson or the Administrator not later than 21 days before a Commission meeting. Any Commissioner shall submit an agenda item through the Chair or the Administrator. Section 6. The vote of the majority of the Commission members present at a meeting at which a quorum is present shall be an act of the Commission. In the event of a tie vote, the Chairperson's or acting chairperson's, or chair pro tem shall break the tie. Section 7. Minutes of all meetings of the Commission shall be taken by a member of Division of Mental Health and Developmental Services staff designed by the Administrator. The minutes shall be furnished to all Commission members. Article X: Committees Section 1. The Chairperson may designate such committees (a minimum of 3 members), both standing and temporary, and project assignments as the Chairperson or Commission shall from time to time deem advisable. The committees shall have such powers and authority as the Commission shall entrust to them. Each committee shall consist of at least one Commission member who shall be appointed thereto by the Chairman and such other persons as shall be selected by the committee chairperson. The Commission Chairperson shall appoint the Chairperson of each committee. The Commission Chairperson shall be an ex officio member of each committee. Section 2. A majority of the members of a committee shall constitute a quorum for the transaction of business at a committee meeting. Section 3. The vote of a majority of committee members present at a committee meeting at which a quorum is present shall be an act of the committee. Article XI: Rules of Order The most recent edition of Roberts' Rule of Order, shall govern the Commission in all cases to which they are applicable and in which they are not inconsistent with these Bylaws. Article XII: Amendments These bylaws may be amended from time to time by a vote of a majority of the whole Commission at any meeting of the Commission if the following conditions are first met:

- Any proposed amendment shall be presented at the meeting of the Commission directly before the meeting when the amendment is to be voted upon;
- The proposed amendment shall be mailed to each Commission member at least ten (10) days before the meeting when the amendment is to be voted upon; and
- Notice shall be given to each Commission member of the date of the meeting when the amendment is proposed for adoption.

Article XIII: Nevada Open Meeting Law In compliance with Nevada's Open Meeting Law, Chapter 241 of NRS, a staff person designated by the Administrator of the Division of Mental Health and Developmental Services shall be responsible for posting the agendas for the Commission meetings three (3) days prior to each scheduled meeting.